

Cross Examination from Jason Reimers of AWE's Raphael regarding ADLS:

https://www.nhsec.nh.gov/projects/2015-02/transcripts/2015-02_2016-09-23_transcript_adj_hearing_day5_afternoon.pdf at 57-60

MR. REIMERS: Okay. I'll move on. Q Another question about the rules. This is one that I started to ask earlier but wanted to make sure I was looking at the right section. 301.05 (b)(10). It has, no, I'm sorry. (b)(9). Has to do with lighting.

A Yes.

Q And it says, if the proposed facility is required by Federal Aviation Administration regulations to install aircraft warning lighting or if the proposed facility would include other nighttime lighting, a description and characterization of the potential visual impacts of this lighting, including the number of lights visible and their distance from key observation points, where in your report is the description and characterization of the potential visual impacts of the lighting?

A We did not need to address this issue because the project developers have committed right from the outset to use the radar activated lighting which means that, for the most part, there will be no lighting at night of the facility. So it's not necessary to evaluate that in depth.

Q Okay. In the rule that I just stated, did it state an exemption for that type of lighting?

A No. It doesn't speak to that.

Q Okay.

A I think it's based on assumption that, I don't think it anticipated or at least identified that option in this regard, but I can't speculate on that certainly.

Q How many other, what other projects in the United States are the radar activated lights in operation?

A I think there was pilot project elsewhere. I think there's a reference to it either or we looked up in our research, I can't remember the exact place, but I can tell you that radar activated lighting is now being installed for another project in Vermont. Kingdom Community Wind is now in the process of installing it.

Q Have they received FAA approval?

Q So is it your conclusion that it was a foregone conclusion that this project would obtain that approval? And therefore, you did not provide a description and characterization of the potential visual impacts as required by the rule?

MR. NEEDLEMAN: Well, Jason, I think that is a slight mischaracterization because there is a portion in the VIA entitled Project Lighting.

MR. REIMERS: If you can point me to it.

MR. NEEDLEMAN: I think it's page 37.

Q Mr. Raphael, does page 37 describe why no such visual impact description and characterization was provided?

A If you would give me a moment, I'll review it. I think we addressed the lighting and then we represented the fact that it was expected that the radar assisted lighting system would be employed and that the intent has been to do so all along, and, therefore, that was incorporated into our approach and we did not discuss lighting further from that point.

Q Okay. How much have you been paid for your work on this project?

A I believe we looked at our billings with regard to the testimony and VIA and I think it is around \$90,000 total which is, by the way, very consistent with several other recent wind projects that we've been involved with.

Q Thank you. I'm finished. Thank you, Mr. Raphael.

A Thank you.